

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 1:12-CR-55
	:	CRIMINAL NO. 1:13-CR-260
v.	:	
	:	(Chief Judge Conner)
RODGER T. ATWOOD I	:	
	:	
Defendant	:	

ORDER

AND NOW, this 30th day of March, 2018, upon consideration of the motion (Doc. 247)¹ for return of property filed *pro se* by defendant Rodger T. Atwood I (“Atwood”) pursuant to Federal Rule of Criminal Procedure 41(g), see FED. R. CRIM. P. 41(g), and further upon consideration of the government’s sur-reply (Doc. 256) in response thereto, wherein the government indicates that the United States Drug Enforcement Administration (“DEA”) “intends to initiate the process for returning property in its possession” to Atwood after the deadline passes for Atwood’s filing of a motion pursuant to 28 U.S.C. § 2255, and it appearing that said deadline expired on March 20, 2018, and that the DEA will forthwith commence its processes for the return of Atwood’s personal property, it is hereby ORDERED that Atwood’s motion (Doc. 247) is DISMISSED as moot and without prejudice to the refiling thereof in

¹ Atwood filed an identical motion in each of the above-captioned matters. For ease of reference, the court cites only to docket entries in the first-filed action, United States v. Rodger T. Atwood I, No. 1:12-CR-55.

the event the property sought by Atwood is not returned upon completion of the DEA's processes.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania